

REMARKS

The Office Action dated December 11, 2008 was received and carefully reviewed.

Prior to this response, claims 1-16 were pending in the subject application. By this response, claims 1-5, 7-9, and 11-16 have been amended to clarify the invention, and not for reasons of patentability. No claims are hereby canceled, and no new claims are hereby added. Accordingly, claims 1-16 remain pending in the subject application.

Support for the amendments to claims 1 and 8 can be found, e.g., FIG. 2 and paragraph [0015] of the specification as originally filed.

Applicant respectfully requests reconsideration and allowance of the above-identified application in view of the above amendments and the following remarks.

Claim Rejections - 35 U.S.C. § 112

Claims 1-16 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. However, Applicants contend that the amendments to claims 1, 2, and 8 obviate any perceived indefiniteness noted by the Examiner. Accordingly, Applicants request reconsideration and withdrawal of the rejection.

Claim Rejections - 35 U.S.C. § 102

Claims 1-16 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Fufidio et al. (U.S. Pat. Pub. No. 2002/0067259 A1) (*Fufidio*, hereinafter). Applicants traverse this rejection for at least the reasons set forth below.

Applicants respectfully submit that present independent claims 1 and 8, and the claims dependent therefrom, are patently distinguishable over *Fufidio*, since *Fufidio* fails to disclose, teach, or suggest all of the features recited in independent claims 1 and 8. For example, independent claim 1 (emphasis added) recites:

1. (Currently Amended) An integrated reader device,
for reading access devices and controlling access to an entrance,
comprising:
a non-metallic mounting frame;

an insert mounted on an inside edge of the non-metallic frame;
a backing attached to the insert;
a proximity reader mounted on a surface of the non-metallic frame and covering the insert; and
a plurality of LED strips mounted on the inside edge of the non-metallic mounting frame,
wherein the integrated reader device is installed on an edge of an opening, and
wherein the proximity reader generates a signal and reads the access devices.

Independent claim 8 (emphasis added) recites:

8. A method for forming and installing an integrated reader device that includes a proximity reader that reads access devices, a panel, and a non-metallic frame, comprising the steps of:
inserting the panel into the non-metallic frame, wherein the panel is formed by:
attaching a first glass section to a second glass section via an adhesive, and
attaching an acrylic layer to the second glass section;
attaching a plurality of LED strips to the non-metallic frame;
forming the integrated reader by attaching the proximity reader to the acrylic layer of the panel and to the frame; and
installing the integrated reader on the edge of an opening of a predetermined size.

Thus, independent claim 1 is directed to, *inter alia*, the features of an insert mounted on an inside edge of the non-metallic frame, a backing attached to the insert, and a proximity reader mounted on a surface of the non-metallic frame and covering the insert. Further, independent claim 8 is directed to, *inter alia*, the features of attaching an acrylic layer to the second glass section, and forming the integrated reader by attaching the proximity reader to the acrylic layer of the panel and to the frame.

Applicants contend that *Fufidio* fails to disclose, teach, or suggest the features of an insert mounted on an inside edge of the non-metallic frame, a backing attached to the insert, and a proximity reader mounted on a surface of the non-metallic frame and covering the insert, as recited in independent claim 1. Further, Applicants submit that *Fufidio* fails to disclose, teach, or suggest the features of attaching an acrylic layer to the second glass section, and forming the

integrated reader by attaching the proximity reader to the acrylic layer of the panel and to the frame, as recited in independent claim 8.

First and foremost, regarding the rejection of independent claim 8, it is Applicants' contention that the Examiner has made an improper rejection of claim 8 under 35 U.S.C. § 102(e), since the Examiner admits that *Fufidio* does not teach each and every feature recited in independent claim 8.

Specifically, the Examiner purports, while discussing the disclosure of *Fufidio*, that a "detector 16, made up of glass, mounted on non-metallic wall, shown in fig 1, in which using acrylic layer to attach can be used" (see the Office Action, e.g., page 6). Thus, as the Examiner correctly admits, *Fufidio* fails to disclose at least the feature of a "forming the integrated reader by attaching the proximity reader to the acrylic layer of the panel and to the frame", as recited (emphasis added) in present independent claim 8.

For at least the reasons stated above, *Fufidio* does not anticipate each and every feature recited in present independent claim 8, as admitted by the Examiner, and the rejection of independent claim 8 under 35 U.S.C. § 102(b) as allegedly being anticipated by *Fufidio* is improper. It is respectfully requested that the next Office Action not be made final, in order to afford Applicants a fair and reasonable opportunity to respond to the Examiner's comments.

Turning now to the rejection of independent claim 1, *Fufidio* appears to disclose a conventional portal access control system including a detector 16, which emits microwaves or a passive infrared detector for detecting the heat radiated by all bodies and objects within a proximate zone, and that the detector 16 is a glass insert mounted on one side of the non-metallic frame, a proximity reader mounted on a second side of the non-metallic frame, and wherein the first side and the second side are opposing sides (see *Fufidio*, e.g., paragraph [0022] and FIG. 1). However, *Fufidio* is completely silent with regard to an insert mounted on an inside edge of the non-metallic frame, a backing attached to the insert, and a proximity reader mounted on a surface of the non-metallic frame and covering the insert, as recited in independent claim 1.

For at least the reasons stated above, *Fufidio* fails to anticipate each and every feature recited in independent claims 1 and 8. Thus, Applicants respectfully request the withdrawal of

the rejection, and the allowance of these claims.

Claims 2-7 and 9-16 are allowable at least by virtue of their dependency to one of the independent claims, but also because they are distinguishable over the prior art.

In view of the foregoing, it is submitted that the present application is in condition for allowance and a notice to that effect is respectfully requested. If, however, the Examiner deems that any issue remains after considering this response, the Examiner is invited to contact the undersigned attorney/agent to expedite the prosecution and engage in a joint effort to work out a mutually satisfactory solution.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 19-2380. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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